

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

SUFFOLK COUNTY WATER
AUTHORITY,

Plaintiff,

v.

THE DOW CHEMICAL COMPANY, *et al.*,

Defendants.

No. 17-CV-6980

Hon. Joseph F. Bianco

NOTICE OF DEFENDANTS' MOTION TO DISMISS

Upon the accompanying Memorandum, dated March 23, 2018, with exhibits, and upon all papers and proceedings previously had herein, defendants The Dow Chemical Company, Ferro Corporation, Vulcan Materials Company, Procter & Gamble Company, and Shell Oil Company, individually and doing business as Shell Chemical LP (“Defendants”), will jointly move the Court, Hon. Joseph F. Bianco, United States District Judge, at the United States District Court for the Eastern District of New York, 100 Federal Plaza, Central Islip, New York, on June 6, 2018 at 4:00 p.m. (Dkt. 58), or on any adjourned oral argument date set by the Court, for an Order: (1) pursuant to Federal Rule of Civil Procedure 12(b)(6), dismissing the Complaint in its entirety, with prejudice, and without leave to replead; and (2) granting Defendants such other and further relief as the Court deems proper.

Pursuant to the schedule the Court set at the pre-motion conference (Dkt. 58), Plaintiff’s opposition papers must be filed by April 23, 2018, and Defendants’ reply papers must be filed by May 11, 2018.

Dated: March 23, 2018

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Respectfully submitted,

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